must be stored and loaded with closures up (other than side closures in addition to top closures).

[Amdt. 175–25, 47 FR 54823, Dec. 6, 1982]

§ 175.81 Securing of packages containing hazardous materials.

(a) Packages containing hazardous materials must be secured in an aircraft in a manner that will prevent any movement in flight which would result in damage to or change in the orientation of the packages.

(b) Packages containing Class 7 (radioactive) materials must be secured in a manner that insures that the separation requirements of §§ 175.701 and 175.702 will be maintained at all times during flight.

[Amdt. 175–25, 47 FR 54823, Dec. 6, 1982, as amended by Amdt. 175–47, 55 FR 52685, Dec. 21, 1990]

§ 175.85 Cargo location.

(a) Except as provided in § 175.10, no person may carry a hazardous material subject to the requirements of this subchapter in the cabin of a passenger-carrying aircraft or on the flight deck of any aircraft. Hazardous materials may be carried in a main deck cargo compartment of a passenger-aircraft provided that the compartment is inaccessible to passengers and that it meets all certification requirements for a Class B aircraft cargo compartment as provided in 14 CFR 25.857(b).

(b) Each package containing a hazardous material acceptable only for cargo aircraft must be loaded in such a manner that a crew member or other authorized person can see, handle and when size and weight permit, separate such packages from other cargo during flight.

(c) Notwithstanding the provisions of paragraph (b) of this section:

(1) When packages of the following hazardous materials are carried on cargo aircraft only, they may be carried in a location which is inaccessible to a crewmember during flight and are not subject to the weight limitation specified in paragraph (a)(2) of § 175.75 of this subchapter.

(i) Class 7 (radioactive) materials,

(ii) Division 6.1 (poisonous) materials (except those labeled FLAMMABLE),

(iii) Materials in Division 6.2 (etiologic or infectious substances),

(iv) Class 3 (flammable liquid) materials with a flashpoint above 23 °C (73 °F) that do not meet the definition of another hazardous class,

(v) Class 9 (miscellaneous hazardous) materials, and ORM–D materials.

(2) When packages of hazardous materials acceptable for cargo-only or passenger-carrying aircraft are carried on cargo aircraft only where other means of transportation are impracticable or not available, packages may be carried in accordance with procedures approved in writing by the FAA Air Transportation Security Field Office responsible for the operator's overall aviation security program or the FAA Air Transportation Security Division in the region where the operator is located.

(3) When packages of hazardous materials acceptable for cargo-only or passenger-carrying aircraft are carried on small, single pilot, cargo aircraft only being used where other means of transportation are impracticable or not available, they may be carried without quantity limitation as specified in § 175.75 in a location that is not accessible to the pilot if:

(i) No person other than the pilot, an FAA inspector, the shipper or consignee of the material or a representative of the shipper or consignee so designated in writing, or a person necessary for handling the material is carried on the aircraft;

(ii) The pilot is provided with written instructions on characteristics and proper handling of the materials; and

(iii) Whenever a change of pilots occurs while the material is on board, the new pilot is briefed under a hand-to-hand signature service provided by the operator of the aircraft.

(d) [Reserved]

(e) No person may carry a material subject to the requirements of this subchapter that is acceptable for carriage in a passenger-carrying aircraft (other than magnetized materials) unless it is located in the aircraft in a place that is inaccessible to persons other than crew-members.

(f) Paragraphs (a) and (e) of this section do not apply to a person operating

an aircraft under §175.310 which, because of its size and configuration, makes it impossible for that person to comply.

(g) No person may load magnetized material (which might cause an erroneous magnetic compass reading) on an aircraft, in the vicinity of a magnetic compass, or compass master unit, that is a part of the instrument equipment of the aircraft, in a manner that affects its operation. If this requirement cannot be met, a special aircraft swing and compass calibration may be made.

(h) Compressed oxygen, when properly labeled Oxidizer or Oxygen, may be loaded and transported as provided in paragraph (i) of this section. No person may load or transport any other package containing a hazardous material for which an OXIDIZER label is required under this subchapter in an inaccessible cargo compartment that does not have a fire or smoke detection system and a fire suppression system.

(i) In addition to the quantity limitations prescribed in §175.75, cylinders of compressed oxygen must be stowed in accordance with the following:

(1) No more than a combined total of six cylinders of compressed oxygen may be stowed on an aircraft in the inaccessible aircraft cargo compartment(s) that do not have fire or smoke detection systems and fire suppression systems.

(2) When loaded into a passenger-carrying aircraft or in an inaccessible cargo location on a cargo-only aircraft, cylinders of compressed oxygen must be stowed horizontally on the floor or as close as practicable to the floor of the cargo compartment or unit load device. This provision does not apply to cylinders stowed in the cabin of the aircraft in accordance with §175.10(b).

(3) When transported in a Class B aircraft cargo compartment (see 14 CFR 25.857(b)) or its equivalent (i.e., an accessible cargo compartment equipped with a fire or smoke detection system but not a fire suppression system), cylinders of compressed oxygen must be loaded in a manner that a crew member can see, handle and, when size and weight permit, separate the cylinders from other cargo during flight. No more than six cylinders of compressed oxygen and, in addition, one cylinder of medical-use compressed oxygen per passenger needing oxygen at destination—with a rated capacity of 850 liters (30 cubic feet) or less of oxygen—may be carried in a Class B aircraft cargo compartment or its equivalent.

[Amdt. 175–1, 41 FR 16106, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §175.85, see the List of CFR Sections Affected appearing in the Finding Aids section of this volume.

§175.88 Inspection of unit load devices.

A unit load device may not be loaded on an aircraft unless the device has been inspected and found to be free from any evidence of leakage from, or damage to, any package containing hazardous materials.

[Amdt. 175–25, 47 FR 54824, Dec. 6, 1982]

§175.90 Damaged shipments.

(a) Packages or overpacks containing hazardous materials must be inspected for damage or leakage after being unloaded from an aircraft. When packages or overpacks containing hazardous materials are carried in a unit load device, the area where the unit load device was stowed must be inspected for evidence of leakage or contamination immediately upon removal of the unit load device from the aircraft, and the packages or overpacks inspected for evidence of damage or leakage when the unit load device is unloaded. In the event of leakage or suspected leakage, the compartment in which the package, overpack, or unit load device was carried must be inspected for contamination and any dangerous level of contamination removed.

(b) Except as provided for in §175.700, the operator of an aircraft shall remove from the aircraft any package subject to this subchapter that appears to be damaged or leaking. In the case of a package which appears to be leaking, the operator must insure that the remainder of the packages in the same shipment are in proper condition for transport aboard the aircraft and that no other package has been contaminated.